

In The United States District Court
For The Middle District of Alabama

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Jackie Lamar Johnson
Petitioner

CIVIL ACTION NO. 3:06-CV-71-WHA
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALA.

vs.
Wanda Lamar Jones,
et, al.

Civil Action No 3:06-CV-71-WHA

Respondents

Petitioner's Written Objections

Comes now the above styled Petitioner
"Jackie Lamar Johnson", and files this
"Petitioner's Written Objections" to the "Recommendation
of the Magistrate Judge" dated June 20, 2006
and in support of same this Petitioner will show
that this Honorable Court the following to wit:

1. Statute of Limitations Pursuant to
"28 USC 2244(d)(1)"

This Honorable Court should find that the
Petitioner's Petition for writ of Habeas Corpus is
Barred from this Honorable Court Review
Pursuant to "28 USC 2244(d)(1)"

2. The Petitioner pointed out that the Court in Harris v. United States, 149 F.3d 1304 (11th Cir. 1998), this decision by the Eleventh Circuit Court of Appeals held that, Restorative Claims are not barred by the statute of limitations of "Title 28 USC 2244(d)(1)".
3. This Honorable Court has held that, under "Title 28 USC 2244(d)" the Federal Circuit, however, makes such an exception for jurisdictional issues arising under state law and that the holding in Harris, supra is simply not applicable to the instant action and does not support the Petitioner's argument on equitable tolling.
4. The Petitioner argues further that, this Court is bound by the Eleventh Circuit Court of Appeals decision in Harris v. United States, 149 F.3d 1304 (11th Cir. 1998), and is without authority to override that Court's decision.

5. The Petitioner argues that, in accordance with the Fourth Circuit Court of Appeals Decision in the Authority of ~~James H. United States~~ 149 Fed. 1304 (1st Cir. 1998), this case is due to be addressed by the Respondents fully on the merits of the claim raised in the Petitioner's Petition for writ of Habeas Corpus.

Done this the 29th day of June 2006

Respectfully Submitted

Jochie Johnson
 Jackie Lamar Johnson

AT# 159385

William E. Donahue Criminal Facility

100 W. Main Lane

Bessemer, Alabama 35023-7299

Certificate of Service

I hereby certify that I have served a copy of the above and foregoing upon the following by placing a copy in the United States Mail. Postage prepaid and properly addressed this the 21st day of June 2006 as follows.

cc: Honorable J. Wayne A. H. Saxon
Assistant Attorney General
Office of the Attorney General
Alabama Statehouse
11 South Union Street
Montgomery, Alabama 36130-0152

Respectfully Submitted

Jackie Johnson
Jackie Ann Johnson
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